

Proceeding: **IN THE MATTER OF TELECOMMUNICATIONS RELAY SERVICES AND SPE** ☒ Record 1 of 1  
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To the FCC via ECFS re Proceeding 98-67 from Leo A. LaPointe

9/15/98

I realize I am sounding like a broken record but I am very serious in trying to find improvements in the way "enhanced services", especially interactive voice menus, are used. Hopefully this letter will be helpful in this area in the event the FCC has not acted favorably on the same issue(s) re Proceeding 96-198. I guess I am just glad to have this additional chance to speak and hope it will be heard.

I have previously submitted comments concerning the possibility that the matter of voice menus may be considered as being as part of the furnishing/providing of telecommunications services without considering very much the impact of the wording that providing telecommunications services is :

"the offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used."

In my zeal to prevail that voice menus should be regulated) I ignored the words "for a fee" and therefore now realize I may have been trying to stand on poor grounds.

However in view of the fact that the FCC in its NPRM is leaving the question open, apparently under its view that in some manner the voice menus, voice mail and other so called "enhanced services" by reason of their consideration also as "adjuncts to basic".

Recognizing the weakness of my earlier statements I nevertheless wish to present the comments herein as hopefully more convincing,

I have heard that enhanced services, as opposed to basic services, are sometimes considered as a "convenience" to end-users. Basic service includes dialing at the call originator location, and the dial tone being heard or recognized at recipients' location and in effect accepts the call.. Then when a communication takes place it is not a part of the telecommunication service ? This leaves out a great deal. This it seems to me that the laws do not pertain to anything in between except perhaps obscene, harassment, bomb threats etc. These are live human voices uttering improper statements. Keep in mind that the voice menus are not live but are electronic. Although originated by live humans they are still **electronic** and no live voices enter into the sequence after dialing until the caller presses a keypad of the telephone, listens (if s/he can. comprehend the **electronic** voicing) to learn if s/he has reached a live person who may be responsive to the purpose of the reason for the call, but many times s/he learns s/he must hear another set of menu choices, in which case s/he again hopes to comprehend, but as is so often the case, as many hard of hearing experience cannot do so. If the foregoing is a **little** hard to follow, I think it is fitting to the circumstances. If you wait a little too long while your brain is trying to consider what number to press in many cases you will get a message to the effect you are timed out and "goodbye". These circumstances happen in the 800 type of calls as well as charged calls and when it happens in a charge call is not a fee being paid ?

I am trying to make the case that the automated voice systems do not represent completed calls until the caller reaches the desired live person.

What is "basic" ? I think it is to have as its result from beginning to end a communication with the person who the caller really wants to talk to and hear from. This is what happens when you call someone you know and that person or a live person at the location answers the phone and a live conversation begins. Therefore the substitution of **electronic** voices that are intended to help a caller reach the live person being sought really doesn't change the basic nature of the process if going from a dialing procedure to the dial tone (that reaches the desired callee's equipment..

Additional comments on why voice menus should be considered, as if not basic, then as "adjuncts to basic" follows:

From what I understand, call waiting, caller ID, call tracing etc. (which apparently are all to be considered a kind of "enhanced service") and are classed as "adjuncts to basic"). However, at present voice menus are considered perhaps as more enhanced and therefore not subject to FCC authority. It seems to me that call waiting is a kind of interruption in the eventual completion of a telecommunication (telephone call). Likewise, voice menus are an interruption and bear this similarity to call waiting.

I believe you may compare the old fashioned exchange operator assistance procedure where you called a local exchange operator and s/he then completed the connection to a requested line on the system. Would not this be considered a basic service (and of course I don't believe a fee was charged for the "service"). ? Could we not substitute the electronic voice message as being in a sense in the place of the operator ?

The call waiting, 3 way calling etc. procedures are considered as "adjunct to basic", and therefore, I believe are covered will be procedures covered as under FCC authority. Why should not voice menus be so included ? In the case of call waiting and 3 way calling the subscriber or end user has to press the flash key to change the direction of his calls from one place to another. Is this not what we are doing in voice menu situations re pressing of different numbers to have the call routed as we wish (or maybe to a wrong location/person if we cannot correctly understand what number we should have pressed) ?

The NPRM includes the information that the features considered as adjuncts to basic service facilitate the "establishment of a transmission path over which a telephone call may be completed, without altering the telephone service". The FCC has also stated that an adjunct to basic service "brings maximum benefit to the public through its incorporation in the network. While I am far from expert concerning the features involved in those "adjunct"s, it seems to me they do not pose much of any difficulty to the deaf/hard of hearing so I certainly would not object to their inclusion. From the standpoint of other disabilities I believe they should be subject to regulation. One of the exclusions is "reverse directory assistance" and I would not argue about its exclusion (because it really is a "convenience") but voice menus are not comparable because they do serve to facilitate the "establishment of a transmission -----". But does it result in altering the telephone service? I don't know, but I do think it serves to result in a call completed and is facilitative (but only if the voice menus are comprehensible), and needs to be made more facilitative by means of allowing an option to speak to a human in order to make it as comprehensible as possible.. Or by some slowdown procedure.

I find it ironic that the inclusion of some of the "adjuncts" will likely not require substantial regulation because they will not likely cause complaints from hearing impaired persons (I regret it if I may be wrong on this presumption), but the inaccessibility for them in the matter of voice menus certainly does. Even a great majority of normal hearing persons seem to be dissatisfied with them.

My morning newspaper on the front page in discussing "shortage of workers could hurt economy", states: "A record low unemployment rate is forcing many companies to automate where they can - guaranteeing that the time length it takes to reach a live person on the phone even longer." I know that normally when you think of a "fee" being charged, money is the method of payment, but for the sake of argument could we say that the caller is being charged by having to wait/waste his valuable time in order to have his call completed. Some say "time is money". In fact, on chargeable long distance calls, is not the caller paying money by having to wait because the automated voice menu systems forces this wait ? He has no choice but to wait ! This saves the company money because it would have to stand additional costs otherwise. I may be oversimplifying things but it seems to me there is some rationality here.

One of the arguments I made to the FCC in my original comments is that the use of voice menus is a kind of directory service that has the purpose of assisting a caller to be able to communicate with someone who can respond to his comments (usually questions about products or services). It seems to me it has the nature of being basic..

I don't know quite how to rationalize that voice mail is "basic" as easily as above because I presume the person who called and left a message can always call later if s/he does not get a response from having left a voice mail message. It does seem that many of the voice mail callers will assume the person called will have

readily understood the message not realizing it may not have been comprehensible and therefore will not make a call back. I will say that far too many people assume that they have left a clear message not thinking that with all the variables involved (poor cable lines, too rapid speech, accents, etc).

As stated in an article in the Columbus Dispatch by Diane Stafford on this date under the caption "To reach Ms. Voice, press 1; to shun workplace irritant. Press 2": "When you need to leave a message on someone else's phone, its best to talk slowly and clearly. Keep it as short as possible. It's also a great help when you state your name and phone number twice -----". I present the foregoing in the hope that if no other thing is done that the FCC at least it should require the carriers who sell voice mail services (incidentally there is a definite fee being paid for this service which is one of the things mentioned above) or manufacturers who sell answering machines should be required to provide instructional material that emphasizes how the systems should be used voice-wise and that failure to follow the instructions can lead to complaints and therefore fines that may be levied. In the matter of voice menus the same procedure should be employed at the very least.

...

I appreciate that the problems could be largely resolved if people were more courteous in their efforts to be more clear and speak more slowly. But people simply do not give much thought to the fact they are not as easily understood as they may think. I know from my discussions with numerous people (most with normal hearing) that most express dissatisfaction with voice menus. I also know that my greeting on my answering machine which is "Hello some of the people on this line are very hard of hearing, please speak as slow as you can --- this is 888-0921" is not very effective when strangers call because most of them do not slow down.

I recognize that in the area of trying to regulate the area of voice menus, that businesses and organizations like them a great deal because of the labor saving benefits. Also it can be objectionable because it will include a requirement that the voices be slower and clearer, and this could lead into a freedom of speech issue. But the greater benefit should be considered which is that greater comprehension is gained. Also consider that where graphical data is presented on computer screens that the same information must also be presented auditorily. Perhaps a comparison could be made to closed captioning requirements. Is not the government telling people/organizations to "speak."

Incidentally, I am not urging that voice menu systems be barred, only that they be more accessible (even to the extent of providing live humans to do the voicing, if the caller requests it). I have also suggested that the option for connection to a human could be after the caller has initially requested a slow voicing menu and can select this only after having to "sit" through the time it takes to "hear" all of them. I believe the requirement for reaching a live person should be mandatory for large organizations.

Unrelated to the foregoing is a subject having to do with doing all possible to have TTY's be able to be used with any and all computers equipped with a v.18 enabled modem. I support doing whatever it takes to make such communications happen. I would also suggest that there be a way to help the persons with older TTY's to be able to purchase the low end PC's on today's market which are as low \$ 500.00 including monitors.

I also support the reply comments of Mr. Mitchell D.Travers re 9/14/98 especially as it relates to video relay services/

I also support the reply comments of Ms. Sarah Young re 9/14/98 regarding in general all of remarks especially as it relates to educating the general public to understand the needs of the disabled.

In general I support the comments made by David J. Nelson and like him I think the timing for beginning of STS should happen within 6 months instead of 2 years,

I also greatly support the comments made by NAD and SHHH. Also Bob Segalman.

I also urge that my suggestion regarding 3 way calling be tried. Who knows it may well be very useful.

I have tried it with relatives for calls that I know involve voice menus and when I reached the live person I explained that a friend was also on line to help me because I am hard of hearing and received favorable reactions and treatment.

Thanks for your time and attention.

Vert truly yours                      by way of ECFS  
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